

## **DETAILED ACTION**

### ***Allowable Subject Matter***

Claims 1, 3-8, 10-15, and 17-20 are allowed.

The following is an examiner's statement of reasons for allowance: The amended claims feature a media and advertisement distribution and tracking system, which includes remote players to store media for playback, according to rules associated with the playback, where the rules define a subset of playable media by an end user. The remote players also store advertisements for playback, according to advertising schedules, and store information corresponding to playback of media and advertisements in as-run logs, where the logs correlate to the behavior of end users. Within the system, there also exists a media server that distributes the media to the remote players through a network, according to the playback rules, where the server adjusts the playback rules based on the as-run logs. The playback rules govern which media is loaded onto which remote players and when the media is loaded on the remote players. The playback rules further include a media playback history for the end users. There exists an advertisement server that distributes the advertisements to the remote players through the network according to the advertising schedules, and a tracking subsystem that retrieves the as-run logs from the remote players from the computer network, and generates the media and advertisement billing reports from the as-run logs. Because the remote players store the advertisements, and the as-run logs govern the playback types, advertisements, and billing; and because the playback rules include which media is loaded into the player, and when, it is

believed that the claimed invention is novel. The examiner was unable to procure prior teachings of such features as claimed by the amended claims, and could not render said features obvious without the use of impermissible hindsight constructions. Further, Applicant's remarks regarding the prior art references' deficiencies are persuasive, in that none of the references, taken singly, or in combination teach the newly claimed features. It is therefore the examiner's belief that the claimed invention does indeed possess novelty.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanim Hossain whose telephone number is 571/272-3881. The examiner can normally be reached on 8:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571/272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Art Unit: 2145

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tanim Hossain  
Patent Examiner  
Art Unit 2145

/Jason D Cardone/  
Supervisory Patent Examiner, Art Unit 2145